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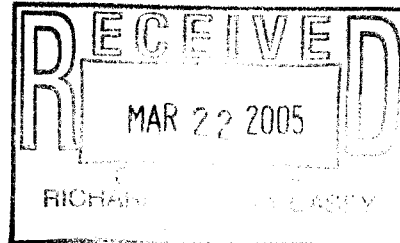
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March 21, 2005

**VIA COURIER AND E-MAIL**

Honorable Richard Conway Casey  
United States District Court for the  
Southern District of New York  
500 Pearl Street  
Room 1950  
New York, NY 10007

Re: *New York Marine and General Insurance Co. v. Al Qaida, et al.*  
Case No.: 04-CV-6105 (RCC)  
An action consolidated in:  
*In Re: Terrorist Attacks on September 11, 2001*  
03 MDL No.: 1570 (RCC)

Dear Judge Casey:

We represent the plaintiff New York Marine and General Insurance Company ("NYMAGIC") in the above-referenced action which has been consolidated in the multi-district litigation, *In Re: Terrorist Attacks on September 11, 2001*; 03 MDL No.: 1570, and are writing to respectfully request a further extension of time to serve the defendants named in this action pursuant to Rule 6(b) of the Federal Rules of Civil Procedure.

By way of background, NYMAGIC commenced this action on August 4, 2004 to recover damages resulting from the terrorist attacks of September 11, 2001. In its First Amended Complaint, NYMAGIC asserts claims against 473 defendants which are located all over the world and include foreign nations and its government officials,

**BROWN GAVALAS & FROMM LLP**

Honorable Richard Conway Casey  
United States District Court for the  
March 21, 2005  
Page 2

terrorist organizations, individual terrorists and other individuals, companies and organizations who aided and abetted the terrorists involved in the September 11, 2001 terrorist attacks on the U.S. or otherwise funded or supported them. Accordingly, NYMAGIC has engaged in a diligent and good faith effort to locate and serve each of the defendants. Due to the difficult and lengthy process to effectuate service upon each of these defendants, NYMAGIC previously requested a ninety (90) day extension of time to effectuate service by letter dated December 3, 2004, which Your Honor granted. However, despite our best efforts, we have still been unable to make service on all of the defendants at this time.

Since the commencement of this action, several defendants were located and properly served or have entered into stipulations with NYMAGIC to waive service. Many of the remaining defendants have been served by publication pursuant to the MDL 1570 Case Management Order dated September 15, 2004. However, there still remained some defendants which were not covered by the publication order for which service has to be made. With respect to the foreign sovereign defendants and other related foreign government defendants, service is to be made under the Foreign Sovereign Immunities Act, 28 U.S.C. § 1602, *et seq.*, which requires, *inter alia*, the translation of documents into Farsi and Arabic. *See* 28 U.S.C. § 1608 (a)(3). In this regard, NYMAGIC has obtained the necessary translated documents and forwarded them along with other required documents to the Clerk of the Court, which will then forward the documents to the U.S. embassies in the foreign nations to effectuate service. Currently, we are still waiting to receive back affidavits of service of the foreign sovereign defendants. As for defendants believed to be in U.S. custody, NYMAGIC forwarded completed USM-265 forms to the U.S. Marshals Service with copies of the service documents to be served on the defendants. Presently, NYMAGIC is still awaiting a certification from the U.S. Marshals Service evidencing the service of these defendants. Thus, at this time, the vast majority of defendants in this action have been served, waived service or are in the process of being served for which NYMAGIC is awaiting receipt of documents evidencing that service has been completed.

If granted, this would only be NYMAGIC's second extension to serve defendants. We note that several extensions of time were previously granted to plaintiffs to serve defendants in earlier-filed cases which have been consolidated in the MDL 1570: *Kathleen Ashton, et al v. Al Qaeda Islamic Army, et al.*, Case No. 02-CV-6977 and *Federal Insurance Co., et al. v. Al Qaida, et al.*, Case No. 03-CV-6978.

Accordingly, we respectfully request that, pursuant to Rule 6(b) of the Federal Rules, the Court grant a second ninety (90) day extension to allow NYMAGIC to finalize service on some of the remaining defendants that were not served by publication.

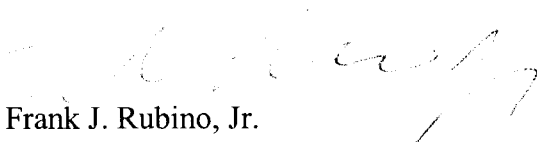
**BROWN GAVALAS & FROMM LLP**

Honorable Richard Conway Casey  
United States District Court for the  
March 21, 2005  
Page 3


We thank Your Honor for Your consideration.

Respectfully submitted,

BROWN GAVALAS & FROMM, LLP

  
Frank J. Rubino, Jr.

SO ORDERED:

  
Richard C. Casey  
U. S. D. J.

cc: All Counsel of Record (by electronic delivery)

*Granted a 1-  
Counsel is asked to provide  
for each via a list of  
defendants for whom the  
document serves as required*

*3/24/05*